

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

15

Applicant : J.P. Verduijn  
US Appl. No. : 08/656,725 (Rule 62 FWC of 08/211,873)  
Filed : June 3, 1996 (Parent filed June 3, 1994)  
For : NANOMETER-SIZED MOLECULAR SIEVE CRYSTALS  
OR AGGLOMERATES AND PROCESS FOR  
THEIR PRODUCTION  
Examiner : D. Sample  
Group Art Unit: 1108  
Conf. No. : Unknown

RECEIVED  
JAN 05 2009  
OFFICE OF PETITIONS

**PETITION UNDER 37 CFR §1.181(a)(3)**

December 29, 2008

Mail Stop Petitions  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant respectfully petitions the Commissioner for immediate action, as discussed below.

Submitted herewith is a copy of a Request for Filing a 37 CFR §1.62 File Wrapper Continuation (FWC) Application which was submitted to the USPTO on June 3, 1996, as a FWC of parent application US Serial No. 08/211,873 filed June 3, 1994.

As indicated in the Request, Applicant authorized the filing fee of \$862 be charged to Deposit Account No. 05-1712 for the above-identified Rule 62 FWC. Applicant respectfully informs the Office that the USPTO Office of Finance was contacted by telephone on December 23, 2008, and the USPTO confirmed that such amount was charged to the Deposit Account 05-1712 and was not refunded at any time subsequent thereto. Accordingly, Applicant respectfully submits that the USPTO received the filing fee for the above-identified Rule 62 FWC.

06/04/2009 CKHLUK 00000014 502929 08211873  
01 FC:1808 130.00 0A

Also as indicated in the Request, the form and its attachments were submitted to the USPTO by USPS Express Mail, and a proper certification of mailing, as well as identification of the USPS Express Mail label number and date of deposit with the USPS, appear on the face of the Request.


Also submitted herewith is a copy of the USPS Express Mail mailing label used for submission of the Request and its attachments, showing the USPS "date-in" stamp of June 3, 1996. Thus, the filing of this Rule 62 FWC constituted a timely and complete filing by the June 1, 1996 deadline (June 1, 1996 was a Saturday).

Further submitted herewith is a copy of the filing receipt postcard itemizing the documents filed with the Request and carrying the USPTO Mail Room date stamp acknowledging receipt of such items, which is *prima facie* evidence of filing. The receipt postcard also carries the USPTO stamped number "08/656,725" to indicate that the USPTO assigned Serial No. 08/656,725 to the Rule 62 FWC requested by Applicant. Accordingly, Applicant respectfully submits that all of the filing requirements for a Rule 62 FWC Application made on June 3, 1996 were completed and timely filed, as indicated in the attachments submitted herewith and as approved by the USPTO with an indication of a serial number and charge of a filing fee.

Since the filing of the Rule 62 FWC Application, Applicant has filed a number of status inquiries, all to no avail. Therefore, Applicant respectfully petitions the Commissioner for immediate action in the subject application.

No fee is required for entry and grant of this Petition.

Respectfully submitted,  
J.P. Verduijn



Abraham HersHKovitz  
Registration No. 45,294

HERSHKOVITZ & ASSOCIATES, LLC  
2845 Duke Street  
Alexandria, VA 22314  
Telephone +1.703.370.4800  
Facsimile +1.703.370.4809  
Email patent@hershkovitz.net  
J3600.17.A01; AH/pjj